

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

UNITED STATES OF AMERICA

*v.*

Case No. 1:21-cr-98

LINDA MBIMADONG,  
*Defendant.*

---

---

**DEFENDANT’S SENTENCING MEMORANDUM**

---

---

“[T]o fully take accountability for my actions, I have to express my ugly truth. I was selfish, ambitious and greedy for success. I allowed my loyalty to blind my better judgement and hunger for money narrow my mindset. Could have asked more questions about where the funds were coming from? Yes I could have. Did I care enough to find out? No I did not. Did I ever feel that the money was solicited illegally? Yes I did. Did I have proof of this feeling? Yes I did.”

. . .

“All I ever do is think about the victims, [ ] whom have lost so much because of my failure.” — Linda Mbimadong

## **Introduction**

Linda Mbimadong comes before the Court to be sentenced on one count of conspiracy to commit mail and wire fraud under 18 U.S.C. §§ 1349, 1341, and 1343. This crime was aptly called by the government a series of “romance scams.” Ms. Mbimadong is deeply remorseful for the role that she played in the conspiracy. Having been in custody for the past 8 months, Ms. Mbimadong has had time to reflect on the damage she caused the victims. The above quote from Ms. Mbimadong is just a sample of her remorseful and eloquent thoughts on her case. She knows that she has done wrong and that a punishment is necessary.

The defense presents this memorandum to summarize some relevant facts about Ms. Mbimadong, to share with the Court Ms. Mbimadong’s reflections on her conduct in this case and her goals for the future, and to present the Court with letters endorsing Ms. Mbimadong’s character from those who know her best.

## **Defendant’s Sentencing Recommendation**

Ms. Mbimadong requests that after calculating the guidelines, applying the sentencing factors in 18 U.S.C. § 3553(a), and considering all other information presented to the Court at sentencing, the Court

sentence Ms. Mbimadong to a term that constitutes a substantial departure or variance downward from the calculated guidelines range. She further requests that, for any additional time to be served, she be designated to a BOP facility that is close to her family in New York City, such as MDC Brooklyn.

### **The Guilty Plea**

Ms. Mbimadong pleaded guilty on July 2, 2021, to one count of conspiracy to commit mail and wire fraud under 18 U.S.C. §§ 1349, 1341, and 1343. The government's evidence shows that her role in the conspiracy was to receive money and merchandise from victims and then send those items to coconspirators in Ghana. For her participation in this scheme, Ms. Mbimadong received ten percent of the proceeds of the conspiracy.

Ms. Mbimadong's plea came 5 weeks after arraignment, and she was the first person in the conspiracy to plead guilty. This is a complicated case, and it would have been a heavy burden on the government and the victims to bring this case to trial. Ms. Mbimadong accepted responsibility, removed that burden from the government and the

victims, and guaranteed the victims that their case would result in a conviction and that justice would be done.

### **Sentencing Factors**

As this Court well knows, Ms. Mbimadong's sentence must be "sufficient, but not greater than necessary, to comply with the purposes" listed in the sentencing statute. 18 U.S.C. § 3553(a). Ms. Mbimadong recognizes the truly awful nature of the offense in this case, and she recognizes that the calculated guidelines range in this case will reflect several aggravating factors present in this case, such as the loss amount and the vulnerability of the victims. Ms. Mbimadong does not shy away from those aspects of this case, for she knows that her conduct was ugly and had lasting and damaging effects on the victims. Instead, Ms. Mbimadong wishes to highlight several sentencing factors that show that her sentence should be substantially below the calculated guidelines range because that range is greater than necessary to comply with the statutory sentencing factors.

**1. The nature of the offense and Ms. Mbimadong's history show that she was not the originator or driving force behind the conspiracy.**

This romance fraud scheme was sophisticated and involved many more people than Ms. Mbimadong. Importantly, there is no evidence that Ms. Mbimadong devised the scheme. Certainly her role in the conspiracy makes her liable for the acts of the coconspirators, and she does not shrink from recognizing that her role helped to steal money from the victims. As the Court evaluates the appropriate sentence for her, Ms. Mbimadong asks that the Court consider that she is an educated young woman who made a horrible choice when she agreed to participate in this scheme. Because she did not devise or originate the scheme, however, she is not likely to reoffend when released. By succumbing to her personal greed, rather than living by her values and using her education to earn a legitimate living, Ms. Mbimadong allowed herself to be pulled into this scheme, but she will not make that mistake again.

**2. The Court can craft a sentence that punishes this serious offense and deters Ms. Mbimadong while choosing a sentence lower than the guidelines.**

The calculated guidelines range in this case will include a substantial enhancement for the loss amount. In principle, there is nothing wrong

with that given the large amount of money taken from the victims. But when applied to the facts of this case, the guidelines range winds up being much higher than is necessary to punish and deter Ms. Mbimadong.

**3. The need to provide restitution to the victims would be well served by permitting Ms. Mbimadong to be released sooner so she can begin to repay.**

Ms. Mbimadong is an educated young woman who has the capacity to earn a living upon release. While she will be unable to pay over \$2 million in restitution in a short time, Ms. Mbimadong can at least begin working, earning money, and paying back what she owes. The sooner she can begin that necessary part of her sentence, the better off everyone will be.

The victims can begin to receive something. No, it will not come close to the amount they deserve. But receiving at least some money as soon as possible will at least move in the direction of showing the victims that justice has been done in their case.

Ms. Mbimadong would also benefit from earning money and paying restitution sooner. She recognizes that she must provide for herself and her family and that her penance to the victims will continue long after she is released from custody. When Ms. Mbimadong begins working to pay restitution, she can begin to break the cycle of greed that fueled her

participation in this scheme. Ms. Mbimadong is going to live the rest of her life with the weight of this case on her shoulders, and working to pay back the victims will be an important aspect of the healing process for her.

### **Downward Variance or Departure**

After the Court considers all information presented to it at sentencing, Ms. Mbimadong requests that the Court craft a sentence that is substantially lower than the sentence called for by the guidelines.

### **Conclusion**

For these and other reasons to be presented to the Court, Ms. Mbimadong respectfully requests that the Court sentence her substantially below the calculated guidelines range.

Respectfully submitted,

/s/ Andrew S. Criado  
Andrew S. Criado (VSB #76634)  
Robinson Law, PLLC  
10486 Armstrong Street, Fairfax, Virginia 22030  
(703) 542-4008 Office  
(703) 201-1162 Direct  
800-783-4389 Facsimile  
ASC@LawyerUpVirginia.com  
*Counsel for Defendant*

### **Certificate of Service**

I hereby certify that on January 3, 2022, I caused a copy of the foregoing memorandum to be filed with the Clerk of Court using the CM/ECF system, which will automatically generate a Notice of Electronic Filing (NEF) to all counsel of record.

A copy has also been sent via email to:

Jennifer D. Lyerly  
United States Probation Officer  
jennifer\_lyerly@vaep.uscourts.gov.

/s/ Andrew S. Criado  
Andrew S. Criado

#### **Attachments:**

- Priscilla Mbimadong character letter
- Edwina Baidoo character letter
- Joseph Baidoo character letter
- Veronica Twumasi character letter
- Michael Nunoo character letters
- Ms. Mbimadong's handwritten responses to relevant questions.
- Certificate
- Certificate
- Jail adjustment letter
- Rutgers acceptance letter



Priscilla Mbimadong

755 White Plains Rd

Bronx NY 10473

August 8, 2021

Re: Linda Mbimadong

To The Honorable Judge

I have known Linda Mbimadong as my biological sister for all my life. I am both troubled and surprised to hear about her recent case as she has always been a solid person. It's for this reason I am happy to write a letter of reference for my sister regarding this matter. I understand the seriousness of this matter, however, hope the court will show some leniency.

Linda Mbimadong has always been a n upright character in the community. She has always been there for me, especially when our father left our household, and she was burdened with taking on a lot of responsibilities at a young age. She always makes it a point to be there for me mentally, emotionally, and financially. She has been my biggest supporter to achieve higher education. As a product of our environment, schooling is normally not highly regarded. however, because of my sisters consistent backing of all my endeavors I can now call myself a graduate of Georgetown University. She herself set the bar for all my siblings when she was admitted into a PhD program at Rutgers University.

Linda is the mother of an amazing six-year-old, Michael, who has unfortunately been without his mother for a very long time since her incarceration. She is an upstanding member in our neighborhood. While it is unfortunate that she has made some bad decision, thus resulting in this case. While I was surprised to hear of the misconduct, it comes as no surprise that she is ready to accept responsibility for her actions. I believe that as we move forward, she will emerge a better person. In short, Linda has expressed a deep sense of remorse in making such serious mistakes and I believe in her ability to pay her debt to society.

It is my sincere hope that the court takes this matter into consideration at the time of sentencing. I believe every human being is owed a second chance. Despite the current case, I still believe Linda to be an honorable individual, a valuable member of my community, and a good human being.

Edwina Baidoo

4010 Amundson Ave

Bronx, NY 10466

August 23, 2021

Re: Linda Mbimadong

To: The Honorable Judge Ellis

I have known Linda Mbimadong as a good friend for five years. For the years that I have known Linda, she has been a very kind, caring and selfless individual. It is for this reason I am happy to write a letter of reference for Ms. Linda Mbimadong regarding this matter. I understand the seriousness of this matter however, I hope the court will show some leniency.

Linda Mbimadong has always been an upright character in the community. She's always goes above and beyond to help those she care about and puts other's needs before hers. In our friendship, she has really been there for me, especially when I tragically lost my brother last year. Linda made it a point to be there and show significant amount of support to me and my family through that difficult time. She really has become more of family than a friend over the years.

In addition to our friendship, she's an upstanding member in the neighborhood. Her presence, bubbly personality and contagious laughter has been missed dearly. Linda engages with the youth in the community and encourages them to go to school and to become somebody great. She is very resourceful and could help just about anyone figure out a thought situation. Linda is a good mother to her young son MJ, who I know misses his the presence of his mother deeply. She's also a major support system for her family. I believe that as we move forward, she will emerge a better person. In short, Linda Mbimadong has expressed deep sense of remorse in making such a serious mistake and I believe in her ability to make changes in her life.

It is my sincere hope that the court takes this letter into consideration. I still believe Linda Mbimadong to be an honorable and valuable member of my family and a very good person.

Sincerely,

Edwina Baidoo

## CHARACTER REFERENCE LETTER

This letter is to refer to Miss Linda Mbimadong who is currently before your court as being accused. Your honor, I have known Miss Linda as a good friend for many years and she is someone I can strongly say she is of good character and behavior. I must say I was both troubled and surprised at this case before you and it is for that reason I am happy to write you a letter of reference for Miss Linda Mbimadong concerning this matter. I understand the seriousness of this matter before you, however I pray the court will show some leniency. Miss Linda Mbimadong has always shown an upright character in the community and in our friendship she has been an honest and trustworthy person and very supportive and encouraging. She is someone who is ready and willing to go out of her way to help out in the community and anyone who needs her help. she is respectful and gets along well with everyone. it is however unfortunate that Miss Linda Mbimadong has been brought before you, your honor, it is my sincere hope that the court takes this letter into consideration and show some leniency towards Miss Linda Mbimadong because I believe despite this current case before the court Miss Linda Mbimadong is a good friend, honorable individual and a valuable member of the community and a good human being.

Sincerely, Joseph Baidoo

To judge Ellis:

I'm Veronica, a friend of Linda Mbimadong. She's more like a sister to me, she's an amazing person who cares about people even more than herself. I met her about 5 years ago and all I see is a hard working lady who loves to help people around her. Linda is a positive person. She makes sure she's there for everyone who needs her especially her family and close friends she view as family. I pray she comes home soon because we miss her so much.

Michael Nunoo  
2 Lake shore drive  
Watervliet NY 12189

Date  
08/16/2021

Dear Judge Ellis

My name is Michael Nunoo, I have a child with Linda Mbimadong. I want to start off this letter by saying thank you for spending time to read this. Please am wring this on behalf of my son MJ and me. It has not been an easy year without Linda around as I have been taking care of MJ. MJ constantly asks of his mother and I know it is very hard for him to understand when I explain to him. Please I need help as MJ will be returning to school in the fall and I plead with you and the court to have leniency on Linda. Please Linda been here will help me with MJ to drop him and pick him up from school while I go to work. As well as his upkeep. Linda and I will help raise MJ as currently struggling to joggle my work and taking care of him.

Judge Ellis please am pleading with you in the name of God to have some leniency on Linda as MJ has been missing his mother and her been around will play a major role in his up bring.

Thank you

Michael Nunoo

Before me, personally appeared  
Michael Nunoo and  
Sworn to before me this 16<sup>th</sup> day  
of August, 2021

Noah Boland  
Notary Public, State of New York  
Qualified in Rensselaer County  
No. 01B06415024  
Commission Expires March 08, 2025



Michael Nunoo  
2 Lake shore drive  
Watervliet NY 12189

Date  
08/16/2021

Dear Judge Ellis,

I am writing to urge leniency in the sentencing of my friend and the mother to my son. I have known Linda Mbimadong for more than 15 years. From the first time, I met her at church together. Linda and I were both among the Apostolic Church Int youth ministry. I am aware of the gravity of the situation and the crime she was convicted of, but it is still difficult for me to wrap my head around. This act is not the woman I know, and I would like to give few perspectives that show that she is more than the sum of her actions on the days she committed the crimes.

Linda Mbimadong has always been there for me since college, willing to lend a hand with everything from helping to transport me to and from to take exams while in college as well as accommodating me. Linda has been very helpful while in college when I was once homeless and sleeping in my car. she helped me acquire a room and I honestly don't think I would have gotten through school without her. I would like to plead for leniency on her behalf, Linda is a well-mannered young lady, am I am sure she will learn from this experience and will not think of repeating it.

I hope you look into this matter and consider this character reference letter before passing on any verdict. Linda will strive to make amends, and I am sure we will get to see her good works and good heart that bring joy to our friends, family, and society.

Thank you

Sincerely  
Michael Nunoo

Before me, personally appeared  
Michael Nunoo and  
Sworn to before me this 16<sup>th</sup> day  
of August, 20 21

Noah Boland  
Notary Public, State of New York  
Qualified in Rensselaer County  
No. 01BO6415024  
Commission Expires March 08, 2025

What are your long-term goals?

My long term goals ~~is~~ is to own my own ~~business~~ business. I started a shipping business but because I did not have a firm solid background, it ~~did~~ ended up not working out.

After my degree, I wanted to use my education to expand on a few start up ideas that I have written down.

After school I was looking to relocate back to Ghana and work for a company called MTN

MTN, is a phone company (one of the largest phone company in Ghana)

Back in 2020, before the pandemic I had the offer to work as the marketing director for all communication. I had to turn down the offer because of my son and my mom.

My son had to be home schooled and my mom was not physically fit.

MTN, always assured me that, whenever I was ready to work with them, I can always reapply and reach out.

Essentially my long term overall is to own my own Import and Export Business. (legit)  
"Food, clothing, Etc".



What are your short-term goals?

My short term goal, is to finish up my PhD degree and use my knowledge to open up my own business. The goal is to expand my knowledge in the business field and use that to start my own start up.

My short term goal is to work for MTN, a renowned telecommunication company in Ghana.

This company has many locations all around the country.

I got an offer letter back in 2020 but turned it down due to other more pressing responsibilities. I am a single mother who had to home school her son and my mom is not physical able to fully assist me.



What are your best attributes?

My best attributes, are my sense of honesty, I am very dependable, hardworking, forgiving, easy going, God fearing, firm and understanding.

In any situation, I never give up, I always look at every situation with a positive outlook. I believe God ~~put~~ place you in situations that are meant to ~~be~~ shape you to be the person he wants you to be.

Another attribute of mine, is my sense of hope, In every situation, I am always hopeful and know God ~~will~~ will see me through.

What are your best accomplishments? What have you done that you are the most proud of?

Obtaining my masters in Public Health and gaining acceptance to Rutgers University PhD program are among some of my accomplishments that I am proud of. Overall having my son Michael Munoz Jr ~~was~~ was my most proudest moment. During birth I almost lost my life. He shaped me to be a better mom and strive hard for success.

Another accomplishment, I am very proud of is accepting Jesus Christ as my Lord and savior. ~~On~~ The day accepted God ~~as my~~ as my personal savior, is among some of my best accomplishments in my life.

# THE BRIDGES TO LIFE

## Self-Study Program

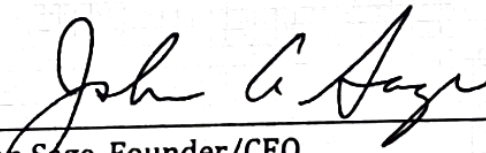
Certificate of Completion presented to

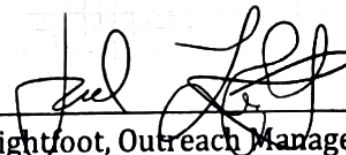
*Linda Mbimadong*

for your successful completion of the Bridges To Life Self-Study program  
at the Alexandria Detention Center in Alexandria, VA,  
presented on this 11th day of August in the year of our Lord 2021.



Restorative Justice

  
John Sage, Founder/CEO

  
Joel Lightfoot, Outreach Manager

# *Certificate of Achievement*

*Presented to:*

*Linda Mbimadong*

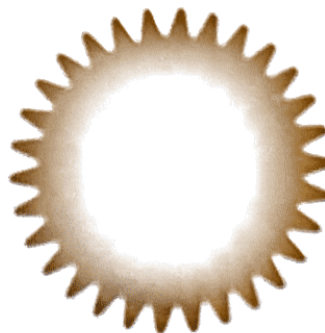
*July 29, 2021*



*For 5 Weeks Training In Conflict Management Skills,  
Family Reunification, And Critical Thinking Skills*

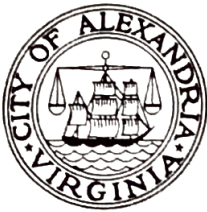
*Ladies Educational and Development (LEAD)*

  
Latanya Ervin,  
Director of Inmate Services



  
Denise M. Costley,  
Re-entry Counselor





City of Alexandria, Virginia  
Sheriff's Office



MEMORANDUM

DATE: AUGUST 18, 2021  
TO: WHOM IT MAY CONCERN  
FROM: CHRISTINE FARROW  
INMATE CLASSIFICATION COUNSELOR  
SUBJECT: JAIL ADJUSTMENT REPORT  
RE: LINDA MBIMADONG

Inmate Mbimadong has been incarcerated at the William G. Truesdale Adult Detention Center since May 17, 2021. She has not incurred any disciplinary infractions during that time. Ms. Mbimadong currently holds the position of a laundry worker in the facility and is employed as a unit worker. She is currently housed in a program unit at the minimum-security custody level, where she is an active participant in multiple programs. If you have any other questions or concerns regarding Inmate Mbimadong's adjustment status, I may be reached at 703-746-5082.

A large, stylized handwritten signature in black ink, appearing to read "Christine Farrow".

Christine Farrow  
Classification Counselor



RUTGERS  
School of Public Health

February 2021

Dear Linda,

Congratulations! We are pleased to offer you admission to the Rutgers School of Public Health for Summer 2021 entry term.

On behalf of the faculty and staff, we welcome you into the family and invite you to continue your professional education with this upcoming class. We are excited for you to bring your knowledge and experience to RSPH, where you will challenge yourself and your peers.

Please refer to the "Welcome to the Program" link on the admission portal regarding the next steps needed to accept your offer. The portal also contains useful links to resources that will assist making our transition a smooth one. If you have any questions or concerns, feel free to reach out to us.

Again, we congratulate you on your achievement and look forward to having you join the program.

Sincerely,

A handwritten signature in black ink that reads "Deborah H. Epting".

Deborah H. Epting  
Dean of Graduate Admission  
Rutgers School of Public Health